

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ASIF A. SIAL, an individual,

Plaintiff,

v.

UNIFUND CCR PARTNERS; and DOES 1  
through 10 inclusive,

Defendants.

Civil No. 08cv905 JM (CAB)

**ORDER DENYING EX PARTE REQUEST  
TO APPEAR TELEPHONICALLY  
[Doc. No. 9.]**

On June 30, 2008, this Court issued a Notice and Order for an Early Neutral Evaluation Conference on August 8, 2008. The Order required the parties, or a party representative with full settlement authority, to appear personally. [Doc. No. 6 at 1-2.] On July 3, 2008, Defendants filed an ex parte request for their party representative to appear telephonically. Defendants stated that Counsel for Plaintiff did not consent to the request. [Doc. No. 9 at 2.]

Unless there are extraordinary circumstances, persons required to attend the conference shall not be excused from personal attendance. Defendants' party representative is located in Ohio and Defendants claims "[i]t would place an undue burden of time and expense on Unifund to fly the representative across the country to attend the conference in person." [Doc. No. 9 at 2.] However, as stated in the June 30, 2008 Order, "[i]n and of itself, having to travel a long distance to appear in person

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1 is not 'extraordinary.'" [Doc. No. 6 at 3.] Accordingly, because Defendants have failed to demonstrate  
2 extraordinary circumstances, the ex parte request is **DENIED**.

3 **IT IS SO ORDERED.**

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5 DATED: July 7, 2008

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8 **CATHY ANN BENCIVENGO**  
9 United States Magistrate Judge  
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